

COMMISSION ON STATE MANDATES

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November 2, 2011

Mr. Keith Petersen
SixTen and Associates
P.O. Box 340430
Sacramento, CA 95834-0430

Ms. Jill Kanemasu
State Controller's Office
Division of Accounting & Reporting
3301 C Street, Suite 700
Sacramento, CA 95816

And Affected State Agencies and Interested Parties (see mailing list)

Re: **Adopted Statement of Decision and Timeline for Submission of Comments on Proposed Parameters and Guidelines or Submission of Reasonable Reimbursement Methodology**

Community College Construction, 02-TC-47

Education Code Sections 70902(b)(1), et al.

Santa Monica Community College District, Claimant

Dear Mr. Petersen and Ms. Kanemasu:

The Commission on State Mandates adopted the statement of decision for this program on October 27, 2011. State law provides that reimbursement, if any, is subject to Commission approval of parameters and guidelines for reimbursement of the mandated program, approval of a statewide cost estimate, a specific legislative appropriation for such purpose, a timely-filed claim for reimbursement, and subsequent review of the claim by the State Controller's Office.

Following is a description of the responsibilities of all parties and of the Commission during the parameters and guidelines phase.

- **Draft Parameters and Guidelines.** Pursuant to California Code of Regulations, title 2, section 1183.12, the Commission staff is expediting the parameters and guidelines process by enclosing draft parameters and guidelines to assist the claimant. The proposed reimbursable activities are limited to those approved in the statement of decision by the Commission.

Claimant's Review of Draft Parameters and Guidelines. Pursuant to California Code of Regulations, title 2, section 1183.12(b) and (c), the successful test claimant may file modifications or comments on the proposal with Commission staff by **December 1, 2009**. The claimant may also propose a reasonable reimbursement methodology pursuant to Government Code section 17518.5 and California Code of Regulations, title 2, section 1183.13.

State Agencies and Interested Parties Comments. State agencies and interested parties may submit recommendations and comments on staff's draft proposal and the claimant's modifications or comments within 30 days of service.

Adoption of Parameters and Guidelines. After review of the draft parameters and guidelines and all comments, Commission staff will recommend the adoption of an amended, modified, or supplemented version of staff's draft parameters and guidelines. (See Cal. Code Regs., tit. 2, § 1183.14.)

- **Reasonable Reimbursement Methodology and Statewide Estimate of Costs**

Test Claimant and Department of Finance Submission of Letter of Intent. Within 30 days of the Commission's adoption of a statement of decision on a test claim, the test claimant(s) and the Department of Finance may notify the executive director of the Commission in writing of their intent to follow the process described in Government Code sections 17557.1–17557.2 and section 1183.30 of the Commission's regulations to develop a *reasonable reimbursement methodology* and *statewide estimate of costs* for the initial claiming period and budget year for reimbursement of costs mandated by the state. The letter of intent shall include the date on which the test claimant and the Department of Finance will submit a plan to ensure that costs from a representative sample of eligible claimants are considered in the development of a reasonable reimbursement methodology.

Test Claimant and Department of Finance Submission of Draft Reasonable Reimbursement Methodology and Statewide Estimate of Costs. Pursuant to the plan, the test claimant and the Department of Finance shall submit the *Draft Reasonable Reimbursement Methodology and Statewide Estimate of Costs* to the Commission. See Government Code section 17557.1 for guidance in preparing and filing a timely submission.

Review of Proposed Reasonable Reimbursement Methodology and Statewide Estimate of Costs. Upon receipt of the jointly developed proposals, Commission staff shall notify all recipients that they shall have the opportunity to review and provide written comments or recommendations concerning the draft reasonable reimbursement methodology and proposed statewide estimate of costs within 15 days of service. The test claimant and Department of Finance may submit written rebuttals.

Adoption of Reasonable Reimbursement Methodology and Statewide Estimate of Costs. At least ten days prior to the next hearing, Commission staff shall issue review comments and a staff recommendation on whether the Commission should approve the draft reasonable reimbursement methodology and adopt the proposed statewide estimate of costs pursuant to Government Code section 17557.2.

Submittal of Comments. You are advised that comments filed with the Commission are required to be simultaneously served on the other interested parties on the mailing list, and to be accompanied by a proof of service. However, this requirement may also be satisfied by electronically filing your documents on the Commission's website. Please see the Commission's website at <http://www.csm.ca.gov/dropbox.shtml> for instructions on electronic filing. (Cal. Code Regs., tit. 2, § 1181.2.) If you would like to request an extension of time to file comments, please refer to section 1183.01(c)(1) of the Commission's regulations.

Please contact Heidi Palchik at (916) 323-8218 if you have any questions.

Sincerely,



Drew Bohan
Executive Director